

MINUTES
LEXINGTON COUNTY COUNCIL
JULY 08, 2003

Lexington County Council held its regular meeting on Tuesday, July 08, 2003, in Council Chambers, beginning at 4:30 p.m. Chairman Davis presided; Mr. Rucker gave the invocation; Mr. Carrigg led the Pledge of Allegiance.

Members attending:	George H. Smokey Davis	William C. Billy Derrick
	Bobby C. Keisler	Johnny W. Jeffcoat
	Joseph W. Joe Owens	M. Todd Cullum
	Bruce E. Rucker	Jacob R. Wilkerson
	John W. Carrigg, Jr.	

Also attending: Art Brooks, County Administrator; Larry Porth, Finance Director/Deputy County Administrator; Katherine Doucett, Personnel Director/Deputy County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Mr. Davis introduced Senator Cromer and thanked him for attending the meeting.

Mr. Davis announced that Mr. Jeffcoat's father passed away.

Mr. Jeffcoat thanked everyone for being there for him; cards, visits, calls, and flowers. He apologized to everyone who was not notified due to the short notice.

Employee Recognition - Art Brooks, County Administrator - Mr. Brooks recognized Joyce Munsch, zoning administrator in the Community and Economic Development Department. Ms. Munsch was instrumental in helping a citizen who had problems with junk cars and pest problems at a neighbor's pet farm, even though the issues were not all zoning related.

Resolutions - A motion was made by Mr. Rucker, seconded by Mr. Wilkerson that the resolution commending the men and women veterans of Lexington County for their service during the Korean War be adopted.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Rucker
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Mr. Derrick	Mr. Carrigg
Mr. Cullum	Mr. Jeffcoat
Mr. Keisler	Mr. Owens
Mr. Wilkerson	

Appointment - Planning Commission - Robert A. Wilbur - A motion was made by Mr. Carrigg, seconded by Mr. Jeffcoat to reappoint Mr. Wilbur to the Planning Commission.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Carrigg
	Mr. Jeffcoat	Mr. Cullum
	Mr. Derrick	Mr. Keisler
	Mr. Owens	Mr. Rucker
	Mr. Wilkerson	

Appointment - Joint Municipal Water and Sewer Commission - A motion was made by Mr. Owens, seconded by Mr. Wilkerson to appoint Mr. William Billy Derrick as an alternate to the Joint Municipal Water and Sewer Commission.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Owens
	Mr. Wilkerson	Mr. Carrigg
	Mr. Cullum	Mr. Keisler
	Mr. Rucker	Mr. Jeffcoat

Abstaining: Mr. Derrick

Bids/Purchases/RFPS -

Roadway Improvements for Lillie Avenue, Dacus Lane and Stephanie Drive - Public Works
- Bids were advertised and solicited from qualified contractors for improvements to Lillie Avenue, Dacus Lane and Stephanie Drive. Four bids were received. Staff recommended the contract be awarded to the low bidder, C.R. Jackson Construction Incorporated. The project includes the construction of approximately 1,760 L.F. of roadway and other appurtenances for Lillie Avenue in the amount of \$189,085.20; construction of approximately 1,433 L.F. of roadway and other appurtenances for Dacus Lane in the amount of \$161,322.50; construction of approximately 1,950 L.F. of roadway and other appurtenances for Stephanie Drive in the amount of \$173,296.60 for a total project cost of \$523,704.30.

A motion was made by Mr. Rucker, seconded by Mr. Carrigg to approve staff recommendation. Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Rucker
	Mr. Carrigg	Mr. Cullum
	Mr. Derrick	Mr. Jeffcoat
	Mr. Keisler	Mr. Owens
	Mr. Wilkerson	

Administration of IRS Section 125 Insurance Plan - Personnel - Competitive bids were solicited from qualified companies to provide the administration of an IRS Section 125 Insurance Plan for county employees. The term of the contract will be for a period of five years. The plan will begin on January 01, 2004 with renewal at the expiration of its term by agreement of both parties. Such renewal may be for two additional one year periods. It was recommended by staff that the contract be awarded to Fringe Benefits Management Company.

A motion was made by Mr. Jeffcoat, seconded by Mr. Owens that the contract be awarded to Fringe Benefits Management Company.

Mr. Davis opened the meeting for discussion.

Mr. Jeffcoat stated he was on the Committee to select a provider. He indicated that Colonial Life and Fringe Benefits were very close in their services. Mr. Jeffcoat stated the Committee recommended Fringe Benefits Management Company in Tallahassee, Fla., with a South Carolina office located in Greenville, be the administrator of the benefits plan, which will not cost any money to the taxpayers of Lexington County to implement the program.

Mr. Jeffcoat stated on page 2 it reads, "It is the committee's recommendation that County Council require FBMC to work with staff to develop a menu that would consider Colonial Life and Accident insurance products." Mr. Jeffcoat stated Colonial Life is a worldwide insurance company headquartered in Columbia, South Carolina. He stated all of Lexington County has benefitted from Colonial Life's generous contributions and we should give the employees of Lexington County the opportunity to purchase products from Colonial Life as opposed to purchasing products from companies that are not in the State of South Carolina. He stated he would like to make a motion to approve the recommendation from staff with the stipulation that "all Colonial Life products will also be available." He asked if Council could include the stipulation.

Mr. Davis asked Ms. Fulmer, Procurement Manager, for clarification to the word "required." Mr. Davis stated the way he understood, the word "required" is already in place.

Ms. Fulmer replied, that was correct. She stated that Procurement had discussed with Fringe Benefits about offering Colonial Life's products and Fringe Benefits agreed they could provide the Colonial Life products.

Mr. Jeffcoat replied, good.

Mr. Carrigg asked, could or would?

Mr. Jeffcoat replied, they will.

Ms. Fulmer replied, they will. She stated Fringe Benefits said they could provide the Colonial Life's products.

Mr. Carrigg stated for clarification currently there is a motion to approve the committee's recommendation, correct?

Mr. Jeffcoat stated "to make it clear" Fringe Benefits will also offer Colonial Life's products. Mr. Carrigg stated that was the question he had. He stated the RFP committee considered the proposals and asked Mr. Jeffcoat if he was on the committee.

Mr. Jeffcoat replied yes, but this was not his recommendation.

Mr. Carrigg stated what he did not understand and the question he has is-- if you have relatively equal service from a local company and a company from Tallahassee, Florida, why did the committee recommend the Tallahassee company?

Ms. Fulmer stated she was there only to oversee the process.

Mr. Carrigg asked if costs were pretty even.

Ms. Fulmer stated there is actually no cost to Lexington County but to the employees.

Mr. Carrigg said he meant, the employees. Were the costs relatively even?

Ms. Doucett, Personnel Director, stated the cost for the products are competitive for our employees. She stated the issue was the administration of the Section 125 program and the Flexible Spending Accounts. She stated to be sure they were including all the information the Colonial Life proposal included a third party administrator for the Section 125 administration and flexible spending accounts. She indicated the third party administrator for Colonial was also located outside the state. She stated in trying to balance out the Section 125 and flexible spending accounts, Fringe Benefits Management Company did give additional and more thorough discussion of options that were available, to include a new benefit that is being considered called a Health Reimbursement Account. Ms. Doucett stated she has worked with both Fringe Benefits and Colonial Life and respects each of their representatives and either company can offer good insurance products. Ms. Doucett stated one of the ways the committee tried to compromise was to have Colonial Life products and the administration of the Section 125 through Fringe Benefits.

Mr. Carrigg replied, they are offering two sets of insurance products- Colonial Life and Fringe Benefits products.

Ms. Doucett replied, they (Fringe Benefits) are a broker not an insurance company; they can offer multiple insurance products. At present they are offering AFLAC products, but maintain the Colonial policies that were in place when Fringe Benefits took over the account in 1997. But what we are saying is, we like the representatives from Colonial and we like the representatives from Fringe Benefits and we are trying to find a way to put the two together.

Mr. Jeffcoat stated we were not here to question what has been done but to make a point that Colonial Life would have to retain a third party to administer the Section 125 program, Fringe Benefits is a "third" party.

Ms. Doucett replied, yes. She indicated she should have clarified that. She stated both are third party administrators for the Section 125 program. She continued to say the relationship the County has established with Colonial, as they continue to administer the products, has been good.

Mr. Wilkerson stated on page 2 which reads, "It is the committee's recommendation that County Council require FBMC to work with staff to develop a menu that would consider Colonial Life and Accident insurance policies." He stated it doesn't say "it will" but they "would consider."

Mr. Wilkerson also stated on page 3 it reads, "Employees who are currently insured with policies through Colonial Life and Accident Insurance will be able to continue to maintain their existing policies through Colonial Insurance..... He indicated the "wording" may need to be made on page 2 to make sure that it is offered.

Mr. Jeffcoat stated that was a good point by Mr. Wilkerson. He stated that Council wanted to see all Colonial products offered as well as whatever else was recommended.

Ms. Doucett stated during the process the Evaluation Committee was trying to put both the strengths of the companies together and to give Colonial Life the opportunity to have additional products to offer.

Ms. Doucett stated to Mr. Wilkerson, on page 3, regarding the paragraph he was speaking of, were carryover products from 1997 so the paragraph in question would then expand to new products. She stated in the past, what the County has said, "you can make changes to existing products but you couldn't add new products." What we would be doing is changing to add Colonial products. Ms. Doucett stated the committee felt like Council would be interested in having Colonial products and the administration of the Section 125 and Flexible Spending Accounts through Fringe Benefits, who the County has worked with and know they are capable of administering the program, rather than changing to a new third party administrator for Section 125 who the County has not used before.

Mr. Jeffcoat replied, that would be a great approach.

Mr. Derrick stated he would like to amend the motion that the paragraph on page 2 which reads “It is the committee’s recommendation that County Council require FBMC to work with staff to develop a menu that would consider Colonial Life and Accident insurance products” to strike out the word “consider” and insert the word “include.”

Mr. Davis replied, how about “must include?”

Mr. Derrick stated “would include” would take care of it.

Mr. Wilkerson seconded the amendment.

Mr. Davis asked Mr. Derrick if his amendment was to take out the word “consider” and insert “include?”

Mr. Derrick, replied, that’s right.

Mr. Davis stated there was an amendment and a second on the floor and called for a vote.

Vote on Amendment:

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Wilkerson	Mr. Carrigg
	Mr. Keisler	Mr. Owens
	Mr. Rucker	Mr. Jeffcoat
	Mr. Cullum	

Mr. Carrigg made a motion to amend the motion, seconded by Mr. Jeffcoat. He stated he wanted to take out the word “would” in front of “include” and substitute the word “must.” The paragraph now would read “ It is the committee’s recommendation that County Council require FBMC to work with staff to develop a menu that “must” include Colonial Life and Accident insurance products.

Mr. Davis stated there was a motion and second on a further amendment.

Mr. Davis opened the meeting for further discussion of the amendment; no discussion occurred.

Vote on Amendment:

In Favor:	Mr. Davis	Mr. Carrigg
	Mr. Jeffcoat	Mr. Cullum
	Mr. Keisler	Mr. Owens
	Mr. Derrick	Mr. Rucker
	Mr. Wilkerson	

Mr. Davis asked if there were any other discussions relating to the amended motion.

Ms. Doucett asked if the County had any employees who are currently covered under a disability or cancer product who can't qualify to move to a Colonial product, does Council have a problem with that employee staying with their existing products.

Mr. Davis replied, absolutely not.

Mr. Derrick stated it did not say you had to use that, but you must include it as an option.

Ms. Doucett asked if Council was willing to consider having a Colonial product and if the employee wanted to put another product such as AFLAC, but it has to include Colonial on the main insurance product, anything that Colonial can offer they (Fringe Benefits) have to have that selection available?

Mr. Carrigg, replied, available, right. He stated even if it competes with AFLAC, the employee gets a choice. It will not be like AFLAC for cancer and Colonial for disability, etc. They will both have disability policies, both cancer policies, etc.

Mr. Jeffcoat stated as long as they have an equal footing.

Mr. Davis stated there was an amended motion twice.

In Favor of the amended motion.

Mr. Davis	Mr. Carrigg
Mr. Jeffcoat	Mr. Cullum
Mr. Keisler	Mr. Owens
Mr. Rucker	Mr. Wilkerson
Mr. Derrick	

Computer Hardware and Software Purchase - Information Services - Mr. Davis stated during the budget process Council wanted to review all purchases over \$5,000. A motion was made by Mr. Rucker, seconded by Mr. Wilkerson to move forward with the request from Information Services to purchase (19) Dell computers; (14) Dell monitors; (1) Gateway File Server Operating System to include (5) Windows Server Client Access Licenses and (1) Windows Server Standard 2003 Volume Licenses for various departments. The total cost including tax would be \$23,985.79.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Rucker
	Mr. Derrick	Mr. Cullum

Mr. Carrigg	Mr. Keisler
Mr. Owens	Mr. Jeffcoat
Mr. Wilkerson	

Chairman's Report - Service Charges, Clerk of Court - Mr. Davis stated this was an issue that had been discussed previously and which he and the Clerk of Court have resolved. He stated the Clerk of Court is using funds (Professional Bond Fees) to pay the service charges owed. Mr. Davis stated he has asked the Clerk of Court as well as the Treasurer, who we have approved to go out with a RFP for banking services, to include any and every department that has a County of Lexington account to join with the Treasurer and seek banking services that would consolidate all the bank accounts of the County of Lexington to obtain proper compensation to banks as well as proper compensation and no service fees on the county accounts. He stated he was not certain if a resolution from Council was needed, but did ask for a motion to have all elected officials as well as appointed department heads who deal with bank accounts to join in with the RFP. Mr. Cullum stated that would be well taken, but also asked Mr. Davis if he would write a letter to the elected officials as well as account managers to encourage them to join in the RFP process and be part of record so they won't have to come before Council, as in prior months, and say they were unaware of the situation, etc. He stated to put this forth in public record would be well advised.

Mr. Davis asked Mr. Cullum if this was a motion.

A motion was made by Mr. Cullum and seconded by Mr. Carrigg that the Chairman send a letter to all elected officials and department heads asking that all County of Lexington bank accounts be included in the RFP for banking services.

Mr. Davis opened the meeting for discussion.

Mr. Davis asked whether everyone understood what Council was trying to accomplish. He stated that fiduciary accounts did not need income because there is no way to disburse that income, but other accounts that may have income possibilities need to earn income for the taxpayers of the County. He stated this may be a way to accomplish it.

Mr. Jeffcoat asked are we discussing the service charges in Clerk of Court or have we not gotten there yet?

Mr. Carrigg replied that Mr. Davis has already resolved the issue regarding the service charges.

Mr. Carrigg stated this was a resolution.

Mr. Davis stated the service charges in the Clerk of Court's office have been resolved and paid through the Professional Bond Fees account.

Mr. Jeffcoat replied, he paid it (service charges) out of that? He stated he was “real” interested in the Clerk of Court’s memorandum to Mr. Davis dated January 7, 2003. Mr. Jeffcoat read the first line “I want to bring you and County Council up-to-date on the child support Mr. Jeffcoat stated the Clerk of Court could have stopped the entire letter where it read “First of all my staff should have caught the service charges early on,” but he chose to blame everybody but himself. Mr. Jeffcoat stated the Clerk should be responsible for all accounts and not depend on others such as the bank, or Brittingham, Dial, and Jeffcoat, who had discovered the discrepancy. Mr. Jeffcoat said none of the blame should be placed on them.

Mr. Davis stated the good news was we did not owe the banks anymore money.

Mr. Carrigg stated “we paid them the money”; it is a real cost to the citizens of this county whether it was paid out of a fund or whatever. It is a mistake and it has cost the citizens of this county.

Mr. Cullum asked if we paid BB&T or First Citizens?

Mr. Davis replied, both.

Mr. Cullum stated he thought that one of the banks had forgiven the charges for interest earned.

Mr. Davis stated the bank had forgiven charges for one year.

Mr. Cullum, asked, one year?

Mr. Davis, replied, the previous year.

Mr. Cullum replied, this lasted more than a year.

Mr. Davis replied, yes.

Mr. Davis stated he has asked the Clerk of Court to come before Council in August for a presentation of the cash flow in his office. He stated the Clerk of Court will be making a presentation to Council and hopefully Council will get an in depth study of his operation. Mr. Davis called for the vote on the motion regarding a letter being sent asking everybody to participate in this request for proposal from all banks, any bank who wants to participate, to tell Council what they can do for Lexington County as far as service charges and interest abilities.

Mr. Davis opened the meeting for further discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Cullum
	Mr. Carrigg	Mr. Jeffcoat
	Mr. Derrick	Mr. Keisler

Mr. Owens
Mr. Wilkerson

Mr. Rucker

Visit with the Secretary of Commerce - Mr. Davis stated Mr. Jeffcoat, Ms. Coghill and himself visited the Secretary of Commerce for a lengthy meeting regarding economic development. He stated it was a very worthwhile meeting.

Jeff Chavis Boot Drive - Mr. Davis indicated he attended the Jeff Chavis 'Boot Drive' kickoff which is an extremely worthwhile activity that our fight fighters are doing to have a home named after Jeff in Augusta that is located next to the burn center. He stated that families going through such a tragedy can stay in the home for free and be taken care of.

Administrator's Report - No report

Budget Amendment Resolutions -

Supplemental Appropriation Increase - A \$36,000.00 appropriation of revenue generated by increasing the cost of copies from .25 cents to .35 cents per copy to cover the cost of retaining three terminals in the Register of Deeds office.

Supplemental Appropriation Increase - A \$166,140.00 appropriation of revenue generated by increasing fees in the building inspection and zoning programs to support additional positions in the Community and Economic Development Department.

Supplemental Appropriation Increase - A \$276,614.00 appropriation of revenue. The Department of Health and Human Services, Substance Abuse and Mental Health Services Administration has awarded a grant to the County of Lexington, Solicitor's office, for the continuation and enhancement of the Adult Treatment Court. This is a three year grant with funding in the second year of \$288,000.00 and third year of \$300,000.00.

Supplemental Appropriation Increase - An \$82,662.00 appropriation grant fund for a drug prosecutor in the Solicitor's office to prosecute the drug arrest cases developed through the efforts of the Multijurisdictional Task Force Narcotic Enforcement Team in the County of Lexington. This position will be grant funded for four years and drug forfeiture funds can be used to off-set the matching funds.

Appropriation Transfer - A \$33,319.00 transfer from contingency to appropriate funds to cover the position of one secretary moved from the Solicitor State funds where there was insufficient revenue to continue to fund the position.

Approval of Minutes - Meeting of May 13, 2003 - A motion was made by Mr. Wilkerson, seconded by Mr. Cullum that the minutes of May 13, 2003 be approved as submitted.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Wilkerson
	Mr. Cullum	Mr. Carrigg
	Mr. Derrick	Mr. Keisler
	Mr. Owens	Mr. Jeffcoat
	Mr. Rucker	

Zoning Amendments - Zoning Text Amendment T03-04 - Driveway and Street Restrictions - Announcement of 1st Reading - Mr. Davis announced first reading of Zoning Text Amendment T03-04.

Ordinance 03-6 - Alternative Method of Selecting Grand Jurors - 1st Reading - A motion was made by Mr. Rucker and seconded by Mr. Carrigg that Ordinance 03-6 receive first reading.

Mr. Davis opened the meeting for discussion; no discussion occurred:

In Favor:	Mr. Davis	Mr. Rucker
	Mr. Carrigg	Mr. Cullum
	Mr. Jeffcoat	Mr. Keisler
	Mr. Owens	Mr. Wilkerson
	Mr. Derrick	

Ordinance 03-7 - Amendment to Boards, Commissions and Committees - 1st Reading - A motion was made by Mr. Rucker and seconded by Mr. Owens that Ordinance 03-7 receive first reading.

Mr. Davis opened the meeting for discussion.

Mr. Owens stated this ordinance was proposed based on his objections to Mr. Spires' reappointment to the COG. He stated apparently the County Attorney has decided, yes, Mr. Spires has fulfilled all the terms that he can serve unless this ordinance will retroactively read that the time Mr. Spires spent on Council does not count. He stated if he was wrong then he would ask Mr. Anderson, County Attorney, to explain.

Mr. Jeffcoat stated what he understood from the County Attorney was this ordinance is to clarify that councilmen were never to come under the term limitation ordinance.

Mr. Davis stated if we are going to have legal discussion, we will take it up in executive session.

Mr. Carrigg stated this is first reading and will be going before a committee through standard procedure where it can be discussed.

Mr. Owens stated he would like Council to read Section 1 it says

Mr. Carrigg replied, I'm not arguing with you, Joe, it may be wrong and you may have objections to it but decorum and tradition is we go ahead and give items first reading then we discuss them in committee.

Mr. Owens stated, let me read this into the record. He said under Title IV boards, commissions and committees, as presently worded does not appear to distinguish between citizen appointments made by county council and county council member appointments made by county council. So it is saying "one size fits all." Mr. Owens stated if you do change the ordinance, then you are put in a situation where you might have council members who serve 20 years. He stated there should be term limits on boards and commissions, even for council members. Mr. Owens also stated he would have problems with changing the ordinance to let people serve as long as they wanted and this only benefits one person, as he understood.

Mr. Jeffcoat stated he had other comments but he would reserve them for the committee.

In Favor:	Mr. Davis	Mr. Rucker
	Mr. Carrigg	Mr. Cullum
	Mr. Derrick	Mr. Keisler
	Mr. Jeffcoat	

Opposed: Mr. Owens

Abstaining: Mr. Wilkerson

Mr. Wilkerson stated he was abstaining at this time until he received additional information from the County Attorney.

Committee Reports - Planning & Administration, Mr. Bruce Rucker, Chairman - Zoning Map Amendment 02-10-Wise - 2nd Reading - Mr. Rucker reported that during the afternoon, the Committee met and discussed Zoning Map Amendment 02-10 - Wise. Mr. Rucker made a motion, seconded by Mr. Jeffcoat that Zoning Map Amendment 02-10 - Wise receive second reading.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Rucker
	Mr. Jeffcoat	Mr. Carrigg
	Mr. Cullum	Mr. Derrick
	Mr. Keisler	Mr. Owens
	Mr. Wilkerson	

Public Works, Mr. William Derrick, Chairman - School “C” Fund Request - Mr. Derrick reported that during the afternoon, the committee met and discussed the School “C” Fund request. Mr. Derrick stated this is a request from School District 5 for the resurfacing of Gibbs Street, an Irmo maintained road inside Irmo for access to Irmo Elementary School. The cost of the project is \$15,000 and funds would be carried forward from FY02-03.

A motion was made by Mr. Derrick, seconded by Mr. Rucker to approve staff’s recommendation for the School “C” Fund request.

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Rucker	Mr. Cullum
	Mr. Carrigg	Mr. Keisler
	Mr. Jeffcoat	Mr. Owens
	Mr. Wilkerson	

“C” Fund Contribution to Nursery Hill Road Bridge - Mr. Derrick reported that during the afternoon, his committee met and discussed the “C” Fund Contribution to Nursery Hill Road Bridge. He stated there is \$123,153.00 in an SCDOT Enhancement Grant at present; \$60,000 will be contributing to the material cost of the bridge with the remaining \$63,153.00 for the actual sidewalk construction on Nursery Hill Road.

A motion was made by Mr. Derrick, seconded by Mr. Wilkerson to approve staff’s recommendation for the “C” Fund Contribution to Nursery Hill Road Bridge.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Wilkerson	Mr. Carrigg
	Mr. Cullum	Mr. Jeffcoat
	Mr. Keisler	Mr. Owens
	Mr. Rucker	

Fort Street Improvements - Mr. Derrick reported during the afternoon, his Committee met and discussed the Fort Street Improvements regarding Fort Street and drainage at the administration building. Mr. Derrick stated the County would spend \$10,000 in “C” funds and Public Works would install the necessary storm drainage and pave the proposed four-way intersection and the approximately 500' down the old platted unpaved Fort Street. The County, along with Hugh Rogers, will set aside a 50' right-of-way to the Old Mill property line (approximately 220' in length). He stated that the Old Mill Partnership and Hugh Rogers would grant the County a drainage easement necessary to take the storm drainage from the county’s property to the Old Mill pond.

Mr. Derrick made a motion, seconded by Mr. Rucker that Council approve staff’s

recommendation for the Fort Street Improvements.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Rucker	Mr. Carrigg
	Mr. Cullum	Mr. Keisler
	Mr. Jeffcoat	Mr. Owens
	Mr. Wilkerson	

Request to Partially Close Darby Ambrose Road - Mr. Derrick reported that during the afternoon meeting, his Committee met to discuss the request to partially close Darby Ambrose Road. Mr. Derrick stated that the partial closing will be replaced with a new paved road aligned at a 90E angle with US 378. This closure is approximately 350' in length. This will be no cost to the county. Mr. Derrick recommended that Council approve with a stipulation if there is any opposition to the road closure that it be brought back to Committee.

A motion was made by Mr. Derrick, seconded by Mr. Cullum to approve the partial closing of Darby Ambrose Road with the stipulation should there be any opposition to the road closure that it was to be brought back to Committee.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Derrick
	Mr. Cullum	Mr. Carrigg
	Mr. Jeffcoat	Mr. Keisler
	Mr. Owens	Mr. Rucker
	Mr. Wilkerson	

Economic Development, Mr. Johnny Jeffcoat, Chairman - CEDS Priority Listing for Lexington County - Mr. Jeffcoat reported that during the afternoon his Committee met and discussed the CEDS Priority Listing for Lexington County. Water Facilities - Linking of the Batesburg-Leesville water system with that of the Gilbert-Summit Water District, estimated cost \$650,000; Water and Sewer Facilities - Extension of Cayce water service from the standpipe at the old landfill on US 321 south to Swansea/Gaston, estimated cost \$2.2 million; Airport Facilities - Construct five new hangar facilities for airplanes at the Pelion Airport; estimated cost \$125,000; Industrial Park Facilities - Development of a new industrial park in the US 321 corridor to include water and sewer, storm drainage, estimated cost \$3 million; Water and Sewer Facilities - Improve the water and sewer capacity in the Chapin area through expansion of sewer treatment plant and new booster pumps for water system, estimated cost \$1.5 million; Industrial Park Facilities - Development of a new industrial park near Chapin with access near the SC 48/I-26 interchange to include water and sewer, storm drainage, estimated cost \$3 million; Industrial Park Facilities - Development of a 147 acre industrial park in concert with Lexington County at

the intersection of U.S. 1 and Highway 23 supplying roads, drainage improvements and sewer, estimated cost \$2 million; Sewer Facilities - Expand treatment capacity of the Cayce Wastewater Treatment Plant on New State Road in Cayce from 9.5 MGD to 16 MGD to handle additional waste loads from Swansea, Lexington, Pine Ridge and South Congaree, estimated cost \$16 million; Water Facilities - To provide for adequate water storage in the Town of Lexington. To include one new transmission line from the West Columbia Lake Murray Water Filtration Plant to the Hite Water Tank and one new transmission line from Hite Water Tank to a new 1.0 million gallon elevated storage tank, estimated cost \$3.2 million; Water Facilities - Expansion of Lake Murray water filtration plant from 13.5 MGD to 22.5 MGD, estimated cost \$6.2 million; Industrial Park Facilities - Development of approximately 175 acres for a new industrial park in the I-26 corridor to include water and sewer, storm drainage, estimated cost \$5.7 million. Total estimated cost of all projects, \$43.575 million.

A motion was made by Mr. Jeffcoat, seconded by Mr. Rucker that Council approve the above outline CEDS Priority Listing for Lexington County.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Jeffcoat
	Mr. Rucker	Mr. Carrigg
	Mr. Cullum	Mr. Keisler
	Mr. Owens	Mr. Derrick
	Mr. Wilkerson	

Justice Committee, Mr. John Carrigg, Chairman - Mr. Carrigg reported that during the afternoon, his Committee met and discussed three grants and the Committee voted to recommend that Council approve submission of the three grant applications.

State Criminal Alien Assistance Program (SCAAP) Grant- Mr. Carrigg stated this is a request to submit an application for the State Criminal Alien Assistance Program Grant which is an assistance grant based on the number of convicted alien inmates housed in our jail facilities for the period of July 1, 2001 to June 30, 2002. At the present time, the dollar amount is unknown until the grant is awarded. This is an annual assistance program and no matching funds are involved.

2003 Supplemental State Homeland Security Grant - Mr. Carrigg stated this is a grant for U.S. Department of Homeland Security, 2003 Supplemental State Homeland Security Grant in the amount of \$255,372.90. County Homeland Security Allocation in the amount of \$195,372.90; County Primary Emergency Operations Center-\$25,000; COBRA Tow Vehicle and Trailer - \$35,000. This is not a match grant.

2003 State Homeland Security Grant COBRA Response Team Equipment - Mr. Carrigg stated this is a grant for the U.S. Department of Homeland Security, 2003 State Homeland

Security Grant in the amount of \$172,828 to purchase equipment for the COBRA Response Team in Lexington County. This grant is being administered by Neil Ellis, Lexington County Emergency Preparedness Division. No matching funds are required; this is a 100% federal grant.

A motion was made by Mr. Carrigg, seconded by Mr. Jeffcoat to recommend that Council approve the grant applications for the State Criminal Alien Assistance Grant, 2003 Supplemental State Homeland Security Grant, and 2003 State Homeland Security Grant, COBRA Response Team Equipment.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Carrigg
	Mr. Jeffcoat	Mr. Cullum
	Mr. Keisler	Mr. Owens
	Mr. Derrick	Mr. Rucker
	Mr. Wilkerson	

Presentations - Mr. Todd Mathias, 225 Quail Lane, West Columbia - Discharge of Sewage onto Property - Mr. Mathias was not present. Mr. Owens asked to speak on his behalf.

Mr. Owens stated he has spoken to and visited Mr. Mathias regarding the discharge of sewage onto his property. He stated that Mr. Mathias has raw sewage running across his property and DHEC has failed to give him the redress he seeks. He stated the last time DHEC tested the sewage they indicated it did not meet minimal standards for DHEC to take action. He stated you can certainly see and smell the sewage. Mr. Owens stated he too has spoken to DHEC and was not able to get any help at all.

Mr. Carrigg asked whose sewage is it?

Mr. Owens replied, his neighbors.

Mr. Owens replied, just a single residence next door, but the lay of the land slopes from the neighbor to him and with the rainy season the septic tank overflows.

Mr. Rucker stated maybe some of our House members and Senators could help Council out since DHEC is a state agency.

Mr. Owens stated that maybe Mr. Brooks and Mr. Fechtel could talk with DHEC.

Mr. Rucker asked Mr. Owens whose House and Senate Districts was the property in.

Mr. Owens replied, Senator Nikki Setzler.

Mr. Rucker asked whose House District?

Mr. Owens replied, Kenny Bingham.

Mr. Davis stated it was a malfunctioning septic tank.

Mr. Rucker replied, it is DHEC who has to put the “thumb” down.

Mr. Owens replied, DHEC has been reluctant to do so. He stated Mr. Mathias has been fighting this battle for a couple of years.

Mr. Cullum stated the issue has already been to Magistrate’s Court and the Magistrate told them (Mr. Watson and Mr. Mathias) to work together.

Mr. Cullum stated that according to information provided by Gene Trussell, a hearing was held in Magistrate’s Court, but the Magistrate would not proceed against Mr. Watson. He suggested that Mr. Watson and Mr. Mathias work together to install drainage that could alleviate the problem. Mr. Watson and Mr. Mathias have not been willing to cooperate. Mr. Mathias wants Mr. Watson to install a new system, which we cannot say will work.

Mr. Rucker stated it was obvious Mr. Watson and Mr. Mathias were not working together.

Mr. Cullum asked who “we” are? Who is Gene Trussell?

Mr. Derrick replied, he was the DHEC inspector.

Mr. Cullum asked if Mr. Trussell was an employee, manager or an engineer?

Ms. Black replied, Mr. Trussell is an employee in Environmental Health.

Mr. Rucker replied, it was obvious that somebody out there could do something and if he had sewage running through his yard, he would also have a serious problem with somebody.

Mr. Jeffcoat stated he agreed that something needed to be done for Mr. Mathias.

Mr. Owens stated he has surveyed Mr. Mathias’ property.

Mr. Rucker asked Mr. Davis to ask Mr. Fechtel to address Council.

Mr. Davis asked Mr. Fechtel, Public Works Director, to discuss with Council and also stated he would write DHEC on Council’s behalf as well as Mr. Mathias.

Mr. Owens stated he would appreciate if Mr. Davis would write a letter to DHEC.

Mr. Fechtel stated he has not personally been out to the property but his staff has. He stated he has been trying to work with this issue and has had discussions with DHEC. He also stated the County has obtained an easement from Mr. Mathias, which is only a partial solution, and Public Works is going to construct a ditch so whatever runoff is running off his next door neighbor will no longer continue to go down his yard. It will be going down the drainage ditch. Mr. Fechtel stated his discussions with DHEC indicate it is not a major problem. He stated he would be more than happy to deal with DHEC.

Mr. Wilkerson stated, it has already been to magistrate court and the magistrate had made suggestions and going back to DHEC would be a waste of time because DHEC would only refer to Mr. Trussell's letter and DHEC would not get in the middle of a legal battle. Mr. Wilkerson felt going back to DHEC would not solve the problem.

Mr. Cullum stated what he just heard really concerned him; we are going to "construct" a ditch to take open sewage and put it in a drain where that drain ends up in some kind of outfall. He stated Council recently discussed in the afternoon meeting the testing for the NPDES and now we are going to contribute to putting sewer into a drainage ditch that will eventually go where?

Mr. Fechtel indicated he would further check but he was told DHEC recommended an interceptor pipe on the upper side of Mr. Watson's property above the septic tank to intercept ground water and surface water to carry to the County's ditch. Mr. Fechtel stated that Mr. Watson has also installed a sump pump to help alleviate the ground water, which is pumping out into the County's ditch. Mr. Fechtel stated the indications he is getting from DHEC is what is going to the ditch is within standards, at least most of the time.

Mr. Cullum asked if it was gray water that was going into the ditch

Mr. Fechtel stated it was not really gray water.

Mr. Fechtel asked that he be allowed to meet with DHEC and make a report at the next Council meeting.

Mr. Owens asked Mr. Fechtel to let him know of the meeting with DHEC since Mr. Mathias continues to call.

Mr. Derrick stated he had two comments in regard to Mr. Fechtel's comments regarding the County going on private property to intercede in a "Hatfields & McCoy's" situation. He stated it did not seem like a good idea to him. He stated he thought DHEC should be forced to do something regarding the situation. He stated in Mr. Trussell's letter that Mr. Trussell offers to sign an arrest warrant against Mr. Watson. Mr. Derrick stated the County should not be in the middle of the dispute. Mr. Derrick asked, why are we in the middle of it?

Mr. Owens replied, because he has asked for our help.

Mr. Derrick replied, we don't need to get in the middle of this until Mr. Trussell has used all legal means possible and it is Mr. Trussell's responsibility.

Mr. Cullum stated it is a health issue.

Mr. Derrick replied, he agreed. He stated he is not belittling the severity of the situation he was saying we don't need to get into the sewer business with private individual septic tanks. He asked next is Public Works going to have to dig a septic tank for somebody because they cannot afford one?

Mr. Cullum asked, what are we going to do when this sewage is sitting on the county maintained dirt road?

Mr. Derrick replied, he was only indicating to get Mr. Trussell to do his job; get the "toothless tigers" to stand up and be counted and do what they (DHEC) are supposed to do; get the situation fixed. He stated maybe Senator Cromer can help. He stated he is sure this is not the only place that this is happening in Lexington County.

Mr. Owens stated this is the only one that has come before Council and it has been going on for two or three years.

Mr. Carrigg stated he does not have a problem in digging a ditch, but when Mr. Watson and Mr. Mathias finally cannot stand to live next to one another and someone buys one of their houses and the new buyer calls the County and says "we understand you constructed this sewer ditch" and asks what the County plans to do about it.

Mr. Owens stated there are exceptions to every rule and you can always make a case for anything you want to make but the bottom line is Mr. Mathias needs some help.

Mr. Owens indicated Mr. Mathias has a ditch running across his yard diagonally and you can smell the sewage. He indicated there should be some type of enforcement and if DHEC is not going to get it resolved, then Council needs to intercede.

Mr. Carrigg asked whose property is it draining onto.

Mr. Owens replied, Mr. Mathias.

Mr. Carrigg asked, after we dig the ditch whose property would it drain onto?

Mr. Fechtel replied, the county road.

Mr. Carrigg asked, just down the county road?

Mr. Owens stated he would rather it run down the county road.

Mr. Wilkerson stated in the first paragraph of Mr. Trussell's letter it reads, "Due to the location of Mr. Watson's septic tank system, which is in the lowest area of the lot, groundwater flooded his system and surfaced on the property line between him and Mr. Mathias." He stated he has not been out to visit the location and he did not know how low lying this area is but it sounds to him that DHEC should make Mr. Watson move the septic tank to a higher area, if at all possible. He indicated that might take care of the problem. He stated why should Mr. Watson not be liable to take care of the problem himself rather than have the County involved. He was in total agreement that Mr. Mathias needed help and something had to be done. He reiterated the person responsible (Mr. Watson) should be held responsible not the County.

Mr. Cullum replied, there is a state agency involved and if they can't get him to do it, how is the neighbor going to make him do it? He agreed with Mr. Wilkerson something should be done. He indicated that Mr. Mathias has come to Mr. Owens for help.

Mr. Wilkerson stated his frustration was DHEC not using a little "common sense" and doing what they should do.

Mr. Cullum stated the longer he sits on Council and the more he understands, the more frustrations he has with DHEC and all of state government. He indicated this is a prime example of what Council gets.

Mr. Owens stated when everything else fails, Council needs to intervene.

Mr. Wilkerson stated he did not disagree with Mr. Owens but if Council was going to do something his concern was if something happened, was the County going to be liable. He stated his big concern too is not just digging the ditch, but it is the raw sewage. He stated he would rather install another septic tank and be done correctly rather than the sewage running down a drainage ditch.

Mr. Owens asked to make a recommendation for Mr. Fechtel to see what he can get done and report back to Council at the August 12th meeting, subject to whatever Council decides at that time.

Mr. Davis stated since Mr. Owens is speaking on behalf of Mr. Mathias that he would take his recommendation and asked Mr. Fechtel to bring Council back a report.

Mr. Fechtel stated he wanted to clarify one thing; the intent of rerouting the water is not to reroute raw sewage. It is to get surface water and ground water prior to the septic tank; we are

not trying to intercede and open up the County to something just to alleviate or have a place for raw sewage to go.

Mr. Jeffcoat stated, that is a lot of the problem. It is surface water.

Mr. Fechtel replied, surface water and ground water.

Mr. Cullum asked Mr. Fechtel if he had been in contact with DHEC?

Mr. Fechtel replied, yes sir.

Mr. Cullum asked what was DHEC's response? From a health issue standpoint.

Mr. Fechtel stated he told DHEC when somebody comes before County Council, staff will prepare a written report with all the information and basically a recommendation on what the County can or cannot do. He stated he cannot make DHEC do anything, it is only his recommendation to DHEC so DHEC would have information to Council in response to Mr. Mathias' complaint. Mr. Fechtel stated he was contacted by Ms. Black to look into the sewage problem, he asked DHEC to get something to Ms. Black or have Ms. Black contact DHEC for a response and as far as he understood there was not a response.

Mr. Owens stated he remembered he and Mr. Fechtel had discussed this previously because Mr. Fechtel had called DHEC on Mr. Mathias' behalf.

Mr. Fechtel stated he requested DHEC visit the property that afternoon or the next day.

Mr. Owens asked Mr. Fechtel when he goes out to do the survey he would like to accompany him.

Mr. Cullum stated this is a "micro Tin Products."

Mr. Jeffcoat stated he thought DHEC could handle an individual. He stated it seems that every time you need DHEC to enforce anything normally if it is an individual septic tank or well, DHEC can put pressure on the person like crazy. He stated Tin Products which destroyed all our lakes, ponds and streams DHEC cannot enforce that; DHEC can enforce the small guy.

Mr. Davis opened for further discussion.

Mr. Davis thanked Mr. Owens for his presentation and following through with it.

The Honorable Mac Toole, 180 Dogwood Circle, West Columbia - Small Business Issues -
Mr. Davis stated Honorable Mac Toole was unavailable to attend the meeting and added he (Representative Toole) and some other Legislators were working on some benefits for small

business.

Mr. Davis stated he had another part for the Chairman's report.

Old Business -Frank Hutchins, 3374 Emanuel Church Rd., Lexington - Commercial Sand Pit Operation/Emanuel Church Road - Mr. Davis stated Mr. Hutchins called him this week saying two 18-wheelers filled with stumps had pulled up to a new subdivision that was being built by his house, which was being mined for dirt first, and the 18-wheelers dumped the stumps into the new subdivision.

Mr. Wilkerson asked if everybody had had a chance to see the pictures. Since everybody had not seen the pictures Mr. Wilkerson passed the pictures around.

Mr. Davis stated the staff immediately went to investigate and found it was true and asked DHEC if that was a part of the process and if it was legal? DHEC's response was if he was moving it from one piece of his property to another piece of his property, it was okay. Mr. Davis stated when ever they asked DHEC to set the rules for the County Council had better try to defend the people of our County by asking that we be the last place of resort; we set the regulations.

Mr. Wilkerson stated it is the same one Mr Hutchins talked about, the landfill on Emmanuel Church Road. He stated he has spoken with Mr. Hutchins on numerous occasions and he is as frustrated with DHEC as Mr. Hutchins that the County is not able to do anything. He stated his big concern when Mr. Hutchins first came to him regarding this was we can take care of that because they are running a sand mine and they do not have a permit to run a sand mine so that won't be that big of a problem. Mr. Wilkerson stated he visited numerous County personnel and found out because they are moving dirt for the State, they are exempt from all the regulations of a sand mine. He said if you are moving the dirt for the State, you can go out on any piece of property and if it is going to a State project, you can move as much dirt as you want to. You don't have to have the setbacks, no screenings and no regulations at all. He also indicated he has been frustrated that the County has not been able to find anything legally to hold these people liable for. He asked to get Mr. Anderson, County Attorney, involved and speak with Mr. Hutchins personally and research and see if there is anything legally that the County can do to shut down the operation because it is ridiculous he is able to do what he is doing.

Mr. Carrigg stated the property at one time looked like a sand mine, but now it looks like a landfill.

Mr. Cullum asked that everyone be given copies of the pictures to remind them of a pending legislation called the "hog farm bill." He stated this could be the same situation with what is being proposed in the way of a "hog farm bill." He stated this is in our "backyard" to show that it can be done and not to take it lightly as Council did earlier.

Mr. Jeffcoat stated to Senator Cromer that Council was not "picking" on him but this was information that he might would like to take back with him.

Old Business/New Business

Municipal “C” Funds - City of Cayce - Mr. Cullum made a motion, seconded by Mr. Derrick that if Municipal “C” Funds are available the City of Cayce receive \$10,000 for an ongoing drainage problem in the City of Cayce.

Mr. Davis opened the meeting for discussion.

Mr. Carrigg asked, what budget year are we talking about?

Mr. Cullum replied, FY 03-04.

Mr. Carrigg asked, this budget year?

Mr. Derrick stated the City of Cayce is applying \$10,000 which they received last budget year for the same project.

Mr. Wilkerson asked, that’s pending if funds are available, correct?

Mr Cullum replied, yes.

Mr. Davis asked for further discussion regarding the “C” funds for the City of Cayce.

Mr. Rucker asked, these “C” funds are for what?

Mr. Cullum stated the funds are for a drainage problem that has been on going in the Avenues section of Cayce and before Cayce can determine if the federal government will get involved and what the State will contribute to the correction of the drainage problems, the study first has to be completed. He stated the study has to be funded and the State, through Senator Setzler, is only willing to spend up to half. He stated the city has asked the County to contribute to the cost of the study which is \$68,000. He stated if we can get the \$20,000 during this current budget and past year, then the city would have \$14,000 to contribute.

Mr. Jeffcoat asked, the State is putting up \$34,000 and the County is putting up \$20,000 and the City of Cayce is \$18,000.

Mr. Cullum stated we appropriated \$10,000 in last year’s budget and Cayce is asking for another \$10,000 for a total investment from the County of \$20,000 leaving the City of Cayce to pay \$14,000.

Mr. Rucker stated he did not have a problem but the recommendation should come from the Public Works Committee.

Mr. Rucker made a motion to amend the motion that the request be put before the Public Works Committee for a recommendation back to Council.

Mr. Davis asked if there was a second to the amendment.

Lack of a second, the amendment fails.

Mr. Carrigg stated in discussion with Mr. Cullum the issue is the City of Cayce is getting ready to do their budget and they need to know if the County is willing to help.

Mr. Rucker asked if this had not come up in Public Works in the afternoon meeting.

Mr. Davis replied, yes.

Mr. Rucker asked, did it fail?

Mr. Davis replied it failed on a tie vote.

Mr. Cullum stated the City of Cayce has come to him as their representative to ask Council for some help. He stated Council gave \$10,000 last year and again he asked Council for another \$10,000 so the City of Cayce can get their study done.

Mr. Jeffcoat asked Mr. Cullum if Council could match only what the City of Cayce pays. He stated it gives some people "heartburn" that the County is being asked for the funding.

Mr. Derrick stated on the "C" fund allocated to cities; Council has \$50,000 to allocate every year and it is subdivided between the qualifying municipalities. He stated even though municipalities did not even put a "dime" toward whatever project they are applying for, the municipalities get the \$10,000 assuming they qualify and assuming there is only five who apply. He reiterated one could apply and get the whole \$50,000 if they were the only one to apply.

Mr. Jeffcoat stated what he was saying if the City of Cayce was going to put up so much then the County would match what they are putting up, right?

Mr. Derrick replied, no. He stated you don't have to match anything. He stated on the "C" fund that is applied for by the municipalities, we set aside money in our budget and there is no money required to match.

Mr. Cullum stated \$10,000 is the maximum a municipality can receive if applied for.

Mr. Owens stated the \$10,000 is being misrepresented. He stated the \$10,000 City of Cayce has already gotten by virtue of last year so the County is not putting up another \$20,000 just \$10,000.

He indicated that \$10,000 allocated to City of Cayce last year could have been for anything they wanted to spend it for.

Mr. Cullum stated the total expenditure for the study from the County would be \$20,000.

Mr. Carrigg stated that would be true because the City of Cayce used last year's \$10,000.

Mr. Cullum stated the City of Cayce deposited the \$10,000 from last year's budget because they understand they do not have the funds available to go forward with the study. Mr. Cullum stated this is a \$20,000 contribution/investment from the County's part. He stated the County has no other responsibility because the roads are state maintained within the City of Cayce. He stated it is only a matter of getting a study in place so the city can identify who needs to pay for the correction of the drainage problem, whether it be the federal government, school board, whether the City of Cayce, or whether it be part of the homeowners. The homeowners, by virtue of where their property is, may have to contribute to some of the cost to correct the drainage, we won't know until the study is completed. Mr. Cullum stated Mr. Fechtel's staff has already contributed services by way of technology based mapping etc. Mr. Cullum stated all he is asking for is to get the \$10,000 in the

FY 03-04 budget with the stipulation if it is available.

Mr. Rucker stated the only reason why he has "heartburn" is because he found out about this only today. Mr. Rucker asked why did Council only find out today. He stated he would be one of the five to vote for the funds because he knew the "good brothers" from Cayce are going to help the rural parts of this county.

Mr. Cullum apologized to Council as he only found out about the request last Wednesday or Thursday.

Mr. Wilkerson stated the key point is "if funds are available" because if the funds are available and City of Cayce apply for the funds the funds will go to them anyway, so it really does not matter.

Mr. Owens stated he did not want to hear about these rules and procedures because he has voted on million dollar projects that were not on the agenda.

Mr. Rucker replied, he agreed, but he would need to know ahead of time.

Mr. Davis asked if there were further discussions.

In Favor:	Mr. Davis	Mr. Cullum
	Mr. Derrick	Mr. Carrigg
	Mr. Jeffcoat	Mr. Owens
	Mr. Keisler	Mr. Rucker

Mr. Wilkerson

Ordinance 03-06 - Alternative Method of Selecting Grand Jurors - 1st Reading - Mr. Davis advised Judge Westbrook Ordinance 03-06 - Alternative Method of Selecting Grand Jurors received first reading prior to his arrival and asked if Judge Westbrook would like to speak. He advised Judge Westbrook Council would be discussing the ordinance during the committee meeting.

Mr. Derrick asked Judge Westbrook whether he will be attending the Committee meeting when Ordinance 03-06 - Alternative Method of Selecting Grand Jurors is being discussed. Mr. Derrick stated Ordinance 03-6 refers to another ordinance from Charleston County and wanted to know if he, Judge Westbrook, would provide the ordinance from Charleston County when the Committee met.

Mr. Davis asked Judge Westbrook to come forward to answer any questions that Council may have. Judge Westbrook stated the ordinance from Charleston is simply a form ordinance that he used. He stated that Charleston and Richland counties are now using the Alternative Method. He stated that the intent of the ordinance is to make it easier on grand jurors. He stated grand jurors meet twice a month for at least half a day, sometimes a full day. He stated it cost grand jurors great imposition in the grand jurors' work and daily lives and the idea of the ordinance is to make it easier on the people who sit on the grand jury as well as keeping the cost minimal. Judge Westbrook stated the statue says that you have to have permission from the County Council by virtue of an ordinance in order to do it. It is in essence to make sure Council is aware of what is going on.

Extra Steps in the Administration Parking Lot - Mr. Wilkerson stated with the renovations going on at the present time he would like for extra steps be installed in the parking lot. He indicated citizens parking on one end of the parking lot have to walk all the way over to use the steps. He indicated grass was not on any of the hills and the hills are washing away because everyone is walking down the hills. He asked staff to look at what it would cost to put an extra set of steps on the lower end of the parking lot.

Mr. Davis thanked Mr. Wilkerson for his comment regarding the extra steps.

Executive Session/Legal Briefing - A motion was made by Mr. Rucker and seconded by Mr. Carrigg to move into executive session to receive the legal briefing and discuss personnel and contractual matters.

In Favor:	Mr. Davis	Mr. Rucker
	Mr. Carrigg	Mr. Cullum
	Mr. Jeffcoat	Mr. Keisler
	Mr. Owens	Mr. Mr. Derrick
	Mr. Wilkerson	

Mr. Davis reconvened the meeting in open session and indicated that Council received the legal briefing, discussed personnel and contractual matters. No motions were to be considered as a result of executive session.

New Business - Homeland Security Chief - Mr. Carrigg made a motion, seconded by Mr. Cullum to appoint Sheriff Jimmy Metts as Homeland Security Chief.

Mr. Davis opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Davis	Mr. Carrigg
	Mr. Cullum	Mr. Derrick
	Mr. Jeffcoat	Mr. Owens
	Mr. Keisler	Mr. Rucker
	Mr Wilkerson	

There being no further business, the meeting was adjourned.

Respectfully submitted,

Dorothy K. Black
Clerk

George H. Smokey Davis
Chairman

